

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

MOMENTIVE PERFORMANCE
MATERIALS USA INC.,

Plaintiff,

v.

MERSEN USA OXNARD-CA, INC. f/k/a
ASTROCOSMOS METALLURGICAL, INC.,
MERSEN FRANCE PY SAS f/k/a CARBONE
LORRAINE EQUIPEMENTS GÉNIE
CHIMIQUE, MERSEN f/k/a LE CARBONE
LORRAINE, S.A., and ABC
CORPORATION(S) 1 through 10,

Defendants.

Civil Case No. 07-cv-567 (FJS)(CFH)

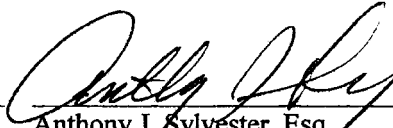
STIPULATION OF DISMISSAL WITH PREJUDICE AND WITHOUT COSTS

THE PARTIES HEREBY STIPULATE AND AGREED that, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the above captioned matter be and is hereby dismissed in its entirety, with prejudice and without costs to any party. Pursuant to L. Civ. R. 41.3, no party hereto is an infant or incompetent.



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- and -



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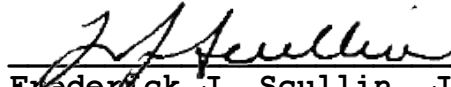
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Dated: February 21, 2014

*Equipments Génie Chimique, Mersen f/k/a Le
Carbone Lorraine, S.A.,*

Dated: February 21, 2014

IT IS SO ORDERED:



Frederick J. Scullin, Jr.
Senior U.S. District Judge

Dated: February 28, 2014
Syracuse, NY